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1 2. Not more than 20% of the stocked plots may
2 meet stocking standards utilizing the 300 point count standard with
trees that are at least 10 (ten) years old.

3 3. An RPF or supervised designee may offset up
4 to 8 plots per 40 plots where those plot centers are initially
5 placed within small group clearings created during the current
harvest. Unless substantially damaged by fire, the RPF or
supervised designee shall not exclude small group clearings created
by previous timber harvesting from the stocking survey.

6 4. Unless the plan submitter demonstrates how
7 the proposed harvest will achieve MSP pursuant to 14 CCR § 913.11(a)
8 or (b) [933.11(a) or (b), 953.11(a) or (b)]~~(a) or (b)~~, the residual
stand shall contain sufficient trees to meet at least the basal
area, size, and phenotypic quality of tree requirements specified
under the seed tree method.

9 (3) Within any THP, small group clearings under the
selection method shall be separated by a logical logging area.

10 (4) Following completion of timber operations (including
11 site preparation) not more than 20 percent of the THP area
12 harvested by this method shall be covered by small group clearings.

13 (5) Exceptions to stocking standards in 14 CCR §
14 913.2(a)(2), [933.2(a)(2), 953.2(a)(2)] above may be granted only
15 when proposed by the RPF and explained and justified in the plan,
16 but in no case will the exceptions be less than specified in 14 CCR
17 § 912.7 (b)(2), [932.7(b)(2), 952.7(b)(2)]. Exceptions may only be
18 granted when the RPF clearly demonstrates that the existing stand
19 will grow substantially less than both the potential site
20 productive capacity and the proposed post harvest stand.

21 **(b) Transition.** The transition method may be used to develop
22 an unevenaged stand from a stand that currently ~~has an unbalanced~~
23 ~~irregular or evenaged structure~~ has an unbalanced, irregular or
24 evenaged structure or does not contain sufficient trees to meet the
25 minimum basal area, size and phenotypic quality requirements
specified under the seed tree method, pursuant to 14 CCR

§913.1(c)(1)(A) ~~or~~ [933.1(c)(1)(A), 953.1(c)(1)(A)]. The transition
method involves the removal of trees individually or in small
groups from irregular or evenaged stands to create a balanced stand
structure and to obtain natural reproduction.

(1) Area for determination of preharvest seed tree

1 stocking retention levels shall be no greater than 20 acres in
2 size.

3 (12) This method is to be used ~~no more than twice~~ to
4 increase stocking and improve the balance of age classes so as to
5 allow the residual stand to be managed by the selection ~~or group~~
6 ~~selection~~ regeneration method. This method may not be used more
7 than two times for a stand. The RPF shall delineate areas
8 previously treated by the transition method.

9 (23) Stands suitable for the transition method contain
10 adequate quantity and quality of seed producing trees to provide
11 adequate regeneration for new age classes. ~~Stands suitable for this~~
12 ~~method have no more than 25 sq. ft. of basal area greater than the~~
13 ~~selection basal area standards.~~ Stands suitable for this method
14 shall have no more than 50 sq. ft. of basal area greater than the
15 selection basal area standards. ~~Area for determination of~~
16 ~~preharvest stocking levels shall be no greater than 20 acres in size~~
17 ~~if such a breakdown will change the stocking levels of individual~~
18 ~~areas.~~

19 (34) Trees to be harvested or trees to be retained shall
20 be marked by or under the supervision of an RPF before felling
21 operations. A sample area must be marked before the preharvest
22 inspection for evaluation. The sample area shall include at least
23 10% of the harvest area up to a maximum of 20 acres per stand type
24 which is representative of the range of conditions present.

25 (45) Immediately following the completion of timber

operations ~~on the first use of this method~~, the minimum basal area standards in 14 CCR § 912.7(b)(2) ~~7~~ [932.7(b)(2), 952.7(b)(2)] shall be met.

(~~56~~) ~~Unless the plan submitter demonstrates how the proposed harvest will achieve MSP pursuant to 14 CCR § 913.11, [933.11, 953.11] (a) or (b),~~ Unless the plan submitter demonstrates how the proposed harvest will achieve MSP pursuant to 14 CCR § 913.11(a) or (b) [933.11(a) or (b), 953.11(a) or (b)], ~~the post harvested~~ residual stand shall contain sufficient seed trees, 12 inches dbh or greater, to provide at least 15 square feet of basal area per acre of seed trees at least 12 inches dbh or greater for timber sites I, II or III; or 12 square feet of basal area per acre of seed trees 12 inches dbh or greater for timber sites IV or V, except for timber sites I and II with Coast Redwood. For timber sites I and II with Coast Redwood, the post harvested residual stand shall contain sufficient seed trees to meet at least the basal area, size and phenotypic quality of the leave tree requirements specified under the seed tree method (14 CCR § 913.1(c)(1)(A)). Unless obviously stocked, these basal area requirements will be determined from sampling averaged across each harvested area required in 14 CCR § 913.2(b)(1) [933.2(b)(1), 953.2(b)(1)] ~~(b) (1)~~. Where present in the preharvest stand, ~~D~~ disease free, undamaged seed trees 18 inches dbh or greater ~~will~~ shall be retained post harvest until the stand exceeds the minimum seed tree requirements ~~7~~ of 14 CCR § 913.1(c)(1)(A)

1 ~~[933.1(c)(1)(A), 953.1(c)(1)(A)](c)(1)(A).~~ to meet at least the
2 basal area, size, and phenotypic quality of the leave tree
3 requirements specified under the seed tree method The seed trees
4 shall be full crown, capable of seed production and representative
5 of the best phenotypes available in the present stand.

6 (67) Following completion of timber operations (including
7 site preparation) not more than 20 percent of the ~~THP~~ Plan area
8 harvested by this method shall be ~~covered~~ occupied by small group
9 clearings.

10 ~~(7) No sooner than ten years following completion of the~~
11 ~~first entry with this method a second harvest using this method may~~
12 ~~be conducted.~~

13 ~~(A) The standards of (1), (2), (3), (4), (5), (6) and (7)~~
14 ~~above shall apply to the second entry of Plan areas previously~~
15 ~~harvested using the transition method.~~

16 (B8) The ~~THP~~ Plan submitter must provide the Director
17 sufficient information such as growth and stand description to
18 demonstrate that the standards of the selection regeneration method
19 will be met ~~for~~ by the third and subsequent entries of Plan areas
20 harvested by the transition method ~~selection harvests.~~

21
22 Authority cited: Sections 4551 and 4561, Public Resources Code.
23 Reference: Sections 4561 and 4582(h), Public Resources Code.

24 **Amend 14 CCR ~~§§~~ 913.11, 933.11, 953.11 Maximum Sustained Production**
25 **of High Quality Timber Products**

The goal of this section is to achieve Maximum Sustained Production
of High Quality Timber Products (MSP). MSP is achieved by meeting

1 the requirements of either (a) or (b) or (c) in a THP, SYP or NTMP,
2 or as otherwise provided in Article 6.8, Subchapter 7.

3 (a) Where a Sustained Yield Plan (14 CCR §1091.1) or
4 Nonindustrial Timber Management Plan (NTMP) has not been approved
5 for an ownership, MSP will be achieved by:

6 (1) Producing the yield of timber products specified by
7 the landowner, taking into account biologic and economic factors,
8 while accounting for limits on productivity due to constraints
9 imposed from consideration of other forest values, including but
10 not limited to, recreation, watershed, wildlife, range and forage,
11 fisheries, regional economic vitality, employment and aesthetic
12 enjoyment.

13 (2) Balancing growth and harvest over time, as explained
14 in the THP for an ownership, within an assessment area set by the
15 timber owner or timberland owner and agreed to by the Director. For
16 purposes of this subsection the sufficiency of information
17 necessary to demonstrate the balance of growth and harvest over
18 time for the assessment area shall be guided by the principles of
19 practicality and reasonableness in light of the size of the
20 ownership and the time since adoption of this section using the
21 best information available. The projected inventory resulting from
22 harvesting over time shall be capable of sustaining the average
23 annual yield achieved during the last decade of the planning
24 horizon. The average annual projected yield over any rolling 10-
25 year period, or over appropriately longer time periods for
ownerships which project harvesting at intervals less frequently
than once every ten years, shall not exceed the projected long-term
sustained yield.

(3) Realizing growth potential as measured by adequate
site occupancy by species to be managed and maintained given

silvicultural methods selected by the landowner.

(4) Maintaining good stand vigor.

(5) Making provisions for adequate regeneration. At the
plan submitter's option, a THP may demonstrate achievement of MSP
pursuant to the criteria established in (b) where an SYP has been
submitted but not approved.

(b) Where a SYP or NTMP is submitted for an ownership, an
approved SYP or NTMP achieves MSP by providing sustainable harvest
yields established by the landowner which will support the
production level of those high quality timber products the
landowner selects while at the same time:

(1) meeting minimal stocking and basal area standards for
the selected silvicultural methods as provided in these rules as
described;

(2) protecting the soil, air, fish and wildlife, water
resources and any other public trust resources;

(3) giving consideration to recreation, range and forage,
regional economic vitality, employment and aesthetic enjoyment;

1 (4) balancing growth and harvest over time. The projected
2 inventory resulting from harvesting over time shall be capable of
3 sustaining the average annual yield achieved during the last decade
4 of the planning horizon. The average annual projected yield over
5 any rolling 10-year period, or over appropriately longer time
6 periods for ownerships which project harvesting at intervals less
7 frequently than once every ten years, shall not exceed the
8 projected long-term sustained yield. A THP which relies upon and is
9 found to be consistent with an approved SYP shall be deemed
10 adequate to achieve MSP.

11 (c) In a THP, or NTMP, MSP is achieved by:

12 (1) For evenaged management, meeting the minimum stand
13 age standards of 14 CCR §913.1 (a)(1)~~7~~[933.1(a)(1),
14 953.1(a)(1)]~~(a)(1)~~, meeting minimum stocking and basal area
15 standards for the selected silvicultural methods as contained in
16 these rules only with group A species, and protecting the soil,
17 air, fish and wildlife, water resources and other public trust
18 resources through the application of these rules; or

19 (2) For unevenaged management, complying with the seed
20 tree retention standards pursuant to 14 CCR §913.1(c)(1)(A)~~7~~
21 [933.1(c)(1)(A), 953.1(c)(1)(A)]~~(e)(1)(A)~~ or 913.2(b)(6)~~7~~
22 [933.2(b)(6), 953.2(b)(6)]~~(b)(6)~~, meeting minimum stocking and
23 basal area standards for the selected silvicultural methods as
24 contained in these rules only with group A species, and protecting
25 the soil, air, fish and wildlife, water resources and other public
trust resources through the application of these rules.

(3) For intermediate treatments and special prescriptions, complying with the stocking requirements of the individual treatment or prescription.

(4) Timberland ownerships totaling 50,000 acres or less may use subsection (c) to show MSP.

(5) Timberland ownerships of 50,000 acres or more may use subsection (c) through December 31, 1999. Thereafter they may use subsection (c) if an SYP or demonstration of achievement of MSP pursuant to 14 CCR §913.11(a) [933.11(a), 953.11(a)] has been filed with the department and has not been returned unfiled or approved.

(6) For scattered parcels on timberland ownerships of 50,000 acres or more, subsection (c) may be used to show MSP.

1 Authority cited: Sections 4551 and 4554.5, Public Resources Code.
2 Reference: Sections 4513, 4551.5, 4561 and 21080.5, Public
3 Resources Code.

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